

Congress of the United States

Washington, DC 20515

February 28, 2005

The Honorable Jim Nussle
Chairman
House Committee on Budget
309 Cannon HOB
Washington, D.C. 20515

The Honorable John Spratt
Ranking Member
House Committee on Budget
B-71 Cannon HOB
Washington, D.C. 20515

Dear Chairman Nussle and Ranking Member Spratt,

We are writing to express our concern regarding a provision in the administration's FY 2006 budget for the Department of Health and Human Services that would require gaming establishments to serve as federal collection agents for overdue child support payments. While we adamantly support the efforts of state law enforcement agents to recover child support from parents who do not fulfill their parental obligations, this provision is imprudent and could lead to a myriad of unintended consequences.

Under the proposal, an individual whose legal winnings exceed the threshold for filling out an Internal Revenue Service W2-G form would be subject to a federal records check. A civilian commercial casino employee would be tasked with searching for the name of the winning patron in the Child Support Federal Parent Locator Service to determine whether the winner is delinquent in his or her child support payments. Gaming establishments that fail to execute this function as mandated by the federal government would be subject to strict penalties.

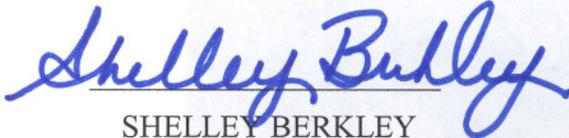
Most commercial casinos operate 24 hours a day, seven days a week. State law requires casinos to pay out winnings when they are due and without delay. Therefore, to implement this proposal, thousands of gaming employees would need immediate access to accurate information at all times. These civilian workers, with no law enforcement background, would have access to sensitive, confidential information. Not only does this raise serious invasion of privacy concerns, casinos also could be liable for any employee misuse or mistakes.

Requiring a private business to directly apply the law to an individual would set a dangerous precedent, as well. It could open the door to requiring other cash handling industries to similarly assume the burden of law enforcement duties. Should banks check the court records of all customers making deposits or withdrawals? Must car dealers invoke the same requirements against their customers? The private sector should not be expected to bear the burden of costly and unreasonable mandates, such as the one proposed by the administration.

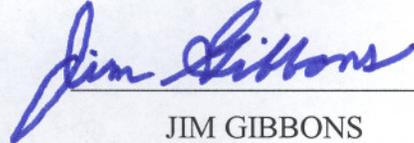
In conclusion, the intended goal of this provision is laudable, but it is the role of law enforcement to police decisions made in our court systems. This provision singles out the gaming industry, creating unreasonable demands on the employees of gaming establishments. We ask you to reject this proposal and not include this or similar language in the FY2006 Budget Resolution.

Thank you for your consideration.

Sincerely,



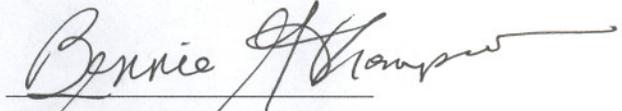
SHELLEY BERKLEY
Member of Congress



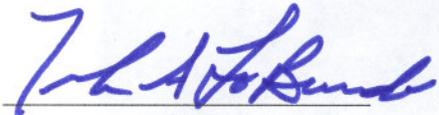
JIM GIBBONS
Member of Congress



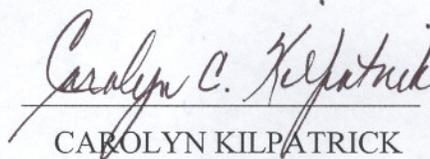
JON C. PORTER
Member of Congress



BENNIE THOMPSON
Member of Congress



FRANK LOBIONDO
Member of Congress



CAROLYN KILPATRICK
Member of Congress

SB:hu